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10/784,041	02/20/2004	Hsu Hung Cheng	6891P001	6825

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EXAMINER

CHIN, RANDALL E

ART UNIT PAPER NUMBER

1744

DATE MAILED: 06/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/784,041

Applicant(s)

CHENG, HSU HUNG

Examiner

Randall Chin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 18-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 07082005.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of Group I, claims 1-17, in the reply filed on 14 June 2006 is acknowledged.
2. Claims 18-20 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 14 June 2006.

### ***Claim Objections***

3. Claims 2, 8 and 13 are objected to because of the following informalities:  
Claims 2, 8 and 13, line 3, the recitation "is an as molded" should be corrected.  
Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over DE 295 07 878 (hereinafter DE '878) in view of McKay 4,905,337 (hereinafter McKay '337) and Heneveld 4,979,257 (hereinafter Heneveld '257).

With respect to claim 1, DE '878 discloses a cleaner comprising first and second body members 10, 11 (Fig. 1), each having first and second ends, the first and second body members being hinged together at their first ends (Fig. 1) to fold together about the hinge abut along first and second sides of the body members define an enclosure having an outer surface defined by the outer surfaces of the first and second body members, and to open about the hinge, a roll of adhesive coated sheet material 13, rolled adhesive coated side out, partially within the first body member (Fig. 1) and supported from the first and second ends of the first body member for rotation about its axis, and at least one side of one of the body members defining a sharp edge 22 for pinching and encouraging tearing of the adhesive coated sheet material along the sharp edge when the adhesive coated sheet material is unrolled (Figs. 3 and 5). The '878 reference discloses all of the recited subject matter as set forth above with the exception of the roll of adhesive coated sheet material being slit adjacent one end thereof and the first and second body members having complimentary snap members on their second ends to snap together when folded together to form the enclosure.

The patent to McKay '337 discloses a cleaner comprising a roll of adhesive coated sheet material being slit adjacent one end thereof (see various embodiments shown in Figs. 1, 4, 8, 23, 27, etc., for example). It would have been obvious to one of ordinary skill in the art to have substituted McKay's roll of adhesive coated sheet material being slit adjacent one end thereof for the DE '878 roll of adhesive coated sheet material to facilitate cutting of the sheet material by placing one of the slits in the

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roll adjacent the sharp edge (since a user can simply rotate the roll manually to place or position one of the slits adjacent the sharp edge).

The patent to Heneveld '257 discloses a cleaner comprising first and second body members 10, 30 having complementary snap members 37, 40 adjacent their second ends to "snap" together when folded together to form an enclosure (Fig. 13; col. 4, lines 22-27).

It would have been obvious to one of ordinary skill in the art to have substituted McKay's roll of adhesive coated sheet material being slit adjacent one end thereof for the DE '878 roll of adhesive coated sheet material to facilitate cutting of the sheet material by placing one of the slits in the roll adjacent the sharp edge (since a user can simply rotate the roll manually to place or position one of the slits adjacent the sharp edge) and to have also modified the DE '878 cleaner such that the first and second body members having complementary snap members adjacent their second ends to "snap" together when folded together as suggested by Heneveld '257 to form a secure enclosure.

As for claim 2, it would appear in the DE '878 cleaner that the first and second body members 10, 11 are injection molded members and the sharp edge 22 is a molded sharp edge. Even assuming arguendo that this is not the case, it would have been obvious to one of ordinary skill in the art to have modified the DE '878 cleaner such that these particular members are injection molded (or plastic) for making the cleaner lighter in weight and enabling mass production of the cleaner device.

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As for claim 3, the patent to Heneveld '257 discloses a cleaner comprising first ends of first and second body members 10, 30 are configured to "snap" together to hold the body members in the open position (since out-of-round portions 25 pass over cammed portions 38, 39 to releasably retain the body members in an open position as shown in Figs. 1, 4 and 13; col. 4, lines 7-13). It would have been obvious to one of ordinary skill in the art to have modified the DE '878 cleaner with first ends of first and second body members being configured to "snap" together as suggested by Heneveld '257 to hold the body members in the open position to releasably retain the body members in an open position.

As for claim 4, in DE '878, both sides of one of the body members define a sharp edge (Figs. 3 and 5).

As for claim 5, in DE '878, both sides of the second body member are flat, whereby adhesive coated sheet material may be pinched between one of the sharp edges and an adjacent flat surface (see Fig. 3). All claim 5 requires is the ability to be "pinched" therebetween.

In order to avoid redundant art rejections, claims 6, 7, 8, 9, 10 and 11 are similarly rejected as above since these claims recite similar limitations as claims 1, 2, 3, 4 and 5 (as well as claims 12, 13, 14, 15, 16 and 17). The only basic difference between claim 1 and claim 6 is that claim 6 more broadly recites that the first and second body members have complementary snap members but the claim is not specific as to the exact location of the snap members (i.e., the first or second ends). In any case, as

already explained, Heneveld '257 teaches this snap arrangement at both the first and second ends of the body members.

6. Claims 12, 13, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over DE '878 in view of McKay '337.

With respect to claim 12, DE '878 discloses a cleaner comprising first and second body members 10, 11 (Fig. 1), each having first and second ends, the first and second body members being hinged together at their first ends (Fig. 1) to fold together about the hinge abut along first and second sides of the body members define an enclosure having an outer surface defined by the outer surfaces of the first and second body members, and to open about the hinge, a roll of adhesive coated sheet material 13, rolled adhesive coated side out, partially within the first body member (Fig. 1) and supported from the first and second ends of the first body member for rotation about its axis, and at least one side of one of the body members defining a sharp edge 22 for pinching and encouraging tearing of the adhesive coated sheet material along the sharp edge when the adhesive coated sheet material is unrolled (Figs. 3 and 5). The '878 reference discloses all of the recited subject matter as set forth above with the exception of the roll of adhesive coated sheet material being slit adjacent one end thereof. The patent to McKay '337 discloses a cleaner comprising a roll of adhesive coated sheet material being slit adjacent one end thereof (see various embodiments shown in Figs. 1, 4, 8, 23, 27, etc., for example). It would have been obvious to one of ordinary skill in the art to have substituted McKay's roll of adhesive coated sheet

material being slit adjacent one end thereof for the DE '878 roll of adhesive coated sheet material to facilitate cutting of the sheet material by placing one of the slits in the roll adjacent the sharp edge (since a user can simply rotate the roll manually to place or position one of the slits adjacent the sharp edge).

As for claim 13, it would appear in the DE '878 cleaner that the first and second body members 10, 11 are injection molded members and the sharp edge 22 is a molded sharp edge. Even assuming *arguendo* that this is not the case, it would have been obvious to one of ordinary skill in the art to have modified the DE '878 cleaner such that these particular members are injection molded (or plastic) for making the cleaner lighter in weight and enabling mass production of the cleaner device.

As for claim 16, both sides of one of the body members define a sharp edge (Figs. 3 and 5).

As for claim 17, both sides of the second body member are flat, whereby adhesive coated sheet material may be pinched between one of the sharp edges and an adjacent flat surface (see Fig. 3). All claim 17 requires is the ability to be "pinched" therebetween.

7. Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over DE '878 in view of McKay '337 as applied to claim 12 above, and further in view of Heneveld 4,979,257 (hereinafter Heneveld '257).

The patent to Heneveld '257 discloses a cleaner comprising first ends of first and second body members 10, 30 are configured to "snap" together to hold the body



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members in the open position (since out-of-round portions 25 pass over cammed portions 38, 39 to releasably retain the body members in an open position as shown in Figs. 1, 4 and 13; col. 4, lines 7-13) and also discloses the first and second body members 10, 30 having complementary snap members 37, 40 adjacent their second ends to "snap" together when folded together to form the enclosure (Fig. 13; col. 4, lines 22-27). It would have been obvious to one of ordinary skill in the art to have provided the modified DE '878 cleaner with first ends of first and second body members being configured to "snap" together and with the first and second body members having complementary snap members adjacent their second ends to "snap" together when folded together all as suggested by Heneveld '257 to hold the body members in the open position to releasably retain the body members in an open position and to form the enclosure, respectively.

### ***Conclusion***

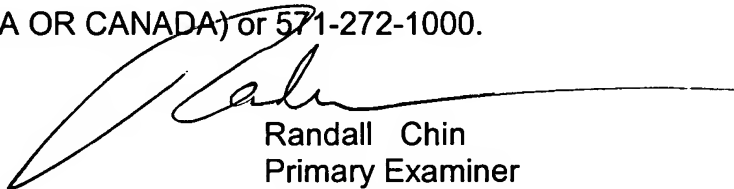
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents to Hutchinson and Reineman are relevant to lint roller cleaners with pivoting housings.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randall Chin whose telephone number is (571) 272-1270. The examiner can normally be reached on Monday through Thursday and every other Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys Corcoran can be reached on (571) 272-1214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Randall Chin  
Primary Examiner  
Art Unit 1744